

Declaration of Yuji Iwahashi

PRIVILEGED AND CONFIDENTIAL

Country of Japan

Prefecture of Kanagawa

City of Yokohama

DECLARATION OF YUJI IWAHASHI


The undersigned, Yuji Iwahashi, states that he is competent to testify and has personal knowledge of the facts set forth below:

1. I have been Patent Counsel for Shiseido Corporation since 19~~8~~<sup>7</sup>.
2. I am fluent in both the Japanese and English languages.
3. I have reviewed U.S. Patent Application Serial. No. 10/540,632, ("the '632 application"), which is pending before the USPTO, a patent application assigned to Shiseido Corporation, and which is the subject of this affidavit.
4. I have also reviewed the original Japanese priority document, Japan Patent Application No. 2002-381343, filed 27 December 2002, published as JP2004-217621 on 5 August 2004.
5. A comparison of the United States patent application and its Japanese priority document reveals that errors arose during the translation from the Japanese to the English language. Such errors appear in paragraph 49 of the Specification as filed in the United States, in the '632 application. The source language is found in paragraph 31 of the Japanese priority document.
6. A corrected translation of paragraph 49 of the United States specification was undertaken at my request by Kanako Ohtsuka, who is competent to render Japanese-to-English translations. This translation appears as Appendix A hereto.

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7. The proper rendering of paragraph 31 of the Japanese priority document, in the English language is reflected in the corrected translation of paragraph 49 of the United States specification, i.e., Appendix A hereto. The proper translation of the affected paragraph includes a disclosure that the lipophilic base powder may be any of silicone resin, silicone rubber, or silicone resin-covered-silicone rubber.
8. This declaration is made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of the application or any patent issuing thereon. All statements made are of my own knowledge are true and all statements made on information and belief are believed to be true.

Further Declarant sayeth naught.

  
Yuji Iwahashi

Signed this 5 date of December, 2008.

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IWAHASHI & ASSOCIATES

PATENT ATTORNEY  
YUJI IWAHASHI

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December 5, 2008

Mr. Kenneth A Clark  
RANKIN, HILL & CLARK LLP  
925 Euclid Avenue,  
Suite 700  
Cleveland, Ohio  
44115-1405  
U.S.A.

Re: U.S. Patent Application (based on PCT/JP2003/016952) No. 10/540,632  
Your ref.: IWI-16057  
Our ref.: SS1981

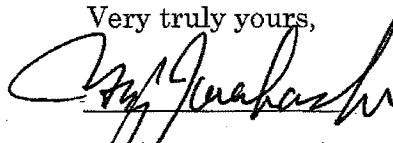
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Dear Mr. Clark,

A corrected translation of paragraph [0049], of the above-captioned patent application was prepared by Kanako Ohtsuka as follows.

[0049] As swelling lipophilic base powder, silicone resin, silicone rubber and silicone resin-covered silicone rubber can be listed. In these powders, whether it swells or not depends on the condition such as degree of cross-linking.

Very truly yours,



Yuji IWAHASHI